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12 *Attorneys for the Federal Defendant*

13 **UNITED STATES DISTRICT COURT
 14 DISTRICT OF NEVADA**

15 Jeremia Gillo, an individual,

16 v. Plaintiff,

17 The Honorable Pete Buttigieg, Secretary
 18 of Transportation,

19 Defendant.

20 Case No. 2:22-cv-00857-CDS-NJK

21 **Unopposed Motion
 22 to Extend Certain Deadlines
 23 (Second Request)**

24 Pursuant to Fed. R. Civ. P. 26(f) and LR 26-3, Federal Defendant moves for a 45-
 25 day extension of certain deadlines, as set forth below:

SCHEDULED EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
Dispositive Motions	October 5, 2023	November 20, 2023
Joint Pretrial Order	November 6, 2023	December 21, 2023 ¹

26 This request is submitted less than 21 days before the earliest date to be extended because it
 27 became apparent to defense counsel only more recently than an extension would be needed.
 28 The grounds and good cause are set forth further below. This is the second request to extend
 29 any pretrial deadlines (although the initial scheduling order, ECF No. 28, allowed additional
 30 discovery time compared to the standard schedule in LR 26-1). Undersigned defense counsel
 31 has consulted with Plaintiff's counsel, who advises that she does not object to this requested
 32 extension. Discovery is complete.

27
 28 ¹ However, if dispositive motions were filed, the proposed joint pretrial order would be due
 29 30 days after the rulings on such dispositive motions.

1 Undersigned defense counsel respectfully requests additional time to evaluate this case,
2 confer with the client agency, and prepare, as applicable, a dispositive motion, the joint
3 pretrial order, or both. There have been a number of other pressing matters including those in
4 bankruptcy and immigration cases, as well as cases needing removal from state court, and
5 such matters often have shorter deadlines than typical litigation matters commenced in federal
6 court. *See, e.g.*, Fed. R. Civ. P. 12(a)(2) (federal defendants have 60 days, from service of
7 process on the United States Attorney, to file a response to a complaint). The Civil Division of
8 the U.S. Attorney's Office remains very busy, given long-standing vacancies. Additionally,
9 defense counsel recently learned that his point of contact at the client agency will be away
10 from the office for a family-related matter for most of the days between now and the October
11 5, 2023, deadline sought to be extended. And in the event of a lapse of appropriations on
12 September 30, 2023, the agency's point of contact, as well as a key witness, would be
13 furloughed pending passage of an appropriations bill. This requested extension takes into
14 account upcoming deadlines and schedules including defense counsel's scheduled training for
15 the week of October 16, 2023. The requested extension is not sought for the purpose of undue
16 delay but to allow undersigned defense counsel and the client agency additional time, given
17 the circumstances above, to confer and prepare, as applicable, a dispositive motion, the joint
18 pretrial order, or both.

19 Respectfully submitted this 20th day of September 2023.

20 JASON M. FRIERSON
21 United States Attorney

22 /s/ Patrick A. Rose
23 PATRICK A. ROSE
24 Assistant United States Attorney

25 **IT IS SO ORDERED:**

26 
27 **UNITED STATES MAGISTRATE JUDGE**
28 **DATED:** September 21, 2023